



MINUTES OF THE COMMON COUNCIL

TUESDAY, October 7, 2014, 7:00 P.M.

COUNCIL CHAMBERS

Room 203, CITY HALL

Roll call: Mayor James J. Schmitt, City Clerk Kris A. Teske, Interim City Attorney James Mueller. Alderpersons: J. Wiezbiskie, Thomas DeWane, Tim DeWane, D. Nennig, J. Moore, R. Scannell, C. Wery, G. Zima, M. Steuer, B. Danzinger. Excused: T. Sladek. Ald. Nicholson had been marked absent, but arrived at 7:34 P.M.

Holy Family Boy Scout Troop 1090 led the pledge of allegiance.

Mayor Schmitt led the invocation.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to approve the minutes of the September 16, 2014, meeting. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to approve the agenda.

Moved by Ald. Thomas DeWane, seconded by Ald. Wery to move the Park Committee Report before the Traffic Commission Report. Motion carried.

Moved by Ald. Moore, seconded by Ald. Tim DeWane to approve the agenda as amended. Motion carried.

REPORT BY THE MAYOR

Attorney Mueller gave an update on the Oneida Seven Generation Lawsuit.

The Mayor announced the budget schedule as follows:

October 21 Budget will be presented

October 30 Open House with Senior Staff from 4:00 to 6:00 P.M.

November 4 Joint Personnel/Finance Meeting at 4:00 P.M.

November 12 Budget Meeting at 4:00 P.M.

PUBLIC HEARINGS

Zoning Ordinance No. 9-14

An ordinance amending the Planned Unit Development for The Preserve, 3416 Indigo Bluff Drive. (Item #15)

No one appeared.

Zoning Ordinance No. 10-14

An ordinance amending Zoning Ordinance No. 1-91 regarding modified ground mounted and wall signage for Mackinaws Grill & Spirits, 2925 Voyager Drive. (Item #16)

No one appeared.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to suspend the rules for the purpose of adopting the zoning ordinances with one roll call vote. Motion carried.

RECOGNITIONS

Recognition of Sherry Bosar for 50 years of service with the Green Bay Police Department.

Congratulatory Retirement Proclamation honoring Tina Westergaard.

The Mayor read Congratulatory Proclamations for both Sherry Bosar and Tina Westergaard.

PRESENTATION

Darryl Matzke from Ramaker & Associates gave a presentation of the Colburn Pool concept.

PETITIONS & COMMUNICATIONS

ADVISORY COMMITTEE

Request by Ald. Zima that the City video tape all meetings of the City (including closed sessions) and that those recordings be kept as a permanent record for historical reference by the City Clerk.

Request by Ald. Zima that Council rules be amended to allow that the President and Vice President of the Common Council be responsible for the appointment of all standing committees of the Common Council.

Request by Ald. Zima that the City establish a policy of prohibiting the use of cell phones for calls or texting while City vehicles are in motion.

Request by Ald. Wery to consider recording all City committees and commissions and airing them on the newly acquired public access channel.

FINANCE COMMITTEE

Request by Ald. Nicholson for Finance and Economic Development to create a report and map to show any areas that have been designated blighted for development.

Request by Ald. Nicholson to review the City's policy on paying bills, such as what is the dollar amount that needs to be approved by the City Council.

Request by Ald. Nicholson to review the amount of new debt (not refinanced debt), for Finance to prepare a report that shows the principal amount of new debt, the total amount of new debt with interest, the amount of principal debt paid off and total amount of debt paid off each year since 2002.

Request by Ald. Nicholson for a list of TIFs that are in decrement, and an explanation as to why they are in decrement, and what could have been done to prevent this.

Request by Ald. Nicholson to review the total number of lawsuits since 2002 and to have the Finance Department prepare a report broken down by year that shows the cost of each lawsuit per year, brief description of the lawsuit, the amount paid in attorney fees, and the cost of the lawsuit.

IMPROVEMENT & SERVICE COMMITTEE

Application for an Underground Sprinkler System License by Irrigation Doctors, LLC.

Request by Ald. Wery, on behalf of Derek Przybylski, 1174 Shadow Lane, for additional on-street overnight parking exemptions.

Request by Ald. Tim DeWane to look into the concept of closing off Tenth Street between Broadway and State Street.

PERSONNEL COMMITTEE

Request by Ald. Nicholson to review overall employee levels and to have Human Resources provide a report that shows the number of full time, part time and temporary employees by year since 2002.

Request by Ald. Nicholson to review the policy for K-9 officers on call to keep their squads at home.

PROTECTION & WELFARE COMMITTEE

Application for a "Class B" Combination License by Cover 2 Sports Bar and Lounge, LLC at 201 N. Washington Street.

Request by the owner of Dasas Czech Inn, 1434 N. Irwin Avenue to hold an outdoor event on May 30, 2015.

Application to keep four dogs at 912 Ethel Avenue.

Application to keep three dogs at 1145 Wirtz Avenue.

Application to keep three dogs at 371 Bretcoe Drive.

Appeal by Michael D. Arcand to the denial of his Public Vehicle Operator License application.

Notice of the change of agent for Kokoro, LLC at 301 N. Adams Street.

Application for an available "Class B" Combination License by Chanmina, LLC at 1423 S. Broadway.

Request by Ald. Thomas DeWane for the Police and Attorney's Office to approve renewal operator applications that have been approved by past Protection & Welfare Committees as long as no other convictions or violations have been committed.

Request by Ald. Wery to empower the Humane Officer to approve/deny all dog/cat variance requests and that the applicant be provided a written decision and information/option to appeal to the Protection & Welfare Committee.

Request by Ald. Wery to review with possible action, the taxicab licensing ordinance, Section 6.21.

TRAFFIC COMMISSION

Request by Ald. Wery to remove or change the parking restrictions on Langlade Avenue between Spence and Oneida Streets.

Request by Ald. Wiezbiskie, on behalf of constituents on Peterson Road, to dead end Peterson Road at Kathy Drive due to the fact that people are speeding on Peterson Road coming off of Kathy Drive and in most cases not stopping at the stop sign.

Moved by Ald. Moore, seconded by Ald. Scannell to refer the petitions and communications to the appropriate Committee or Commission. Motion carried.

REPORTS FOR COUNCIL ACTION

REPORT OF THE TRAFFIC COMMISSION OCTOBER 7, 2014

The Traffic Commission having met Monday, September 15, 2014, considered all matters on its agenda and wishes to report and recommends the following:

1. That the request to discuss, with possible action, removal of the NO PARKING TO CORNER signs on the northwest corner of Mills Street and Henry Street, to make parking on both streets legal on that corner, in order to accommodate a new business be postponed to the October 20, 2014 Traffic Commission meeting.
2. To remove and adopt by ordinance the 2-WAY YIELD condition on Louise Street at Heyrman Street.
3. To establish and adopt by ordinance a 2-WAY STOP condition on Louise Street at Heyrman Street.
4. To establish and adopt by ordinance a NO PARKING zone on the south side of Voyager Drive from a point 335 feet west of Goddard Way to Goddard Way.
5. To establish and adopt by ordinance a NO PARKING zone on the west side of Goddard Way from a point 145 feet south of Voyager Drive to Voyager Drive.
6. To remove and adopt by ordinance the 2-HOUR METERED PARKING zone on the south side of Howe Street from Madison Street to a point 43 feet west of Monroe Avenue.
7. To remove and adopt by ordinance the NO PARKING zone the south side of Howe Street from a point 43 feet west of Monroe Avenue to Monroe Avenue.

8. To remove and adopt by ordinance the 2-HOUR METERED PARKING zone on the north side of Moravian Street from Madison Street to Monroe Avenue.
9. To establish and adopt by ordinance a 2-HOUR 7 AM TO 6 PM MONDAY THROUGH FRIDAY parking zone on the south side of Howe Street from a point 40 feet east of Madison Street to a point 43 feet west of Monroe Avenue.
10. To establish and adopt by ordinance a NO PARKING zone on the south side of Howe Street from Madison Street to a point 40 feet east of Madison Street.
11. To establish and adopt by ordinance a 2-HOUR 7 AM TO 6 PM MONDAY THROUGH FRIDAY parking zone on the north side of Moravian Street from a point 55 feet east of Madison Street to a point 50 feet west of Monroe Avenue.
12. To establish and adopt by ordinance a NO PARKING zone on the north side of Moravian Street from Madison Street to a point 55 feet east of Madison Street.
13. To establish and adopt by ordinance a NO PARKING zone on the north side of Moravian Street from a point 50 feet west of Monroe Avenue to Monroe Avenue.
14. To remove and adopt by ordinance the NO PARKING zone on the east side of Washington Street from a point 75 feet south of Walnut Street to a point 110 feet north of Pine Street.
15. To remove and adopt by ordinance the NO PARKING zone on the west side of Washington Street from a point 37 feet south of Walnut Street to a point 60 feet north of Cherry Street.
16. To establish and adopt by ordinance a NO PARKING zone on the east side of Washington Street from a point 140 feet south of Cherry Street to a point 110 feet north of Pine Street.
17. To establish and adopt by ordinance a NO PARKING zone on the east side of Washington Street from a point 75 feet south of Walnut Street to a point 50 feet north of Walnut Street.
18. To establish and adopt by ordinance a NO PARKING zone on the west side of Washington Street from a point 40 feet south of Walnut Street to a point 190 feet north of Walnut Street.
19. To establish and adopt by ordinance a NO PARKING zone on the west side of Washington Street from a point 50 feet south of Cherry Street to a point 60 feet north of Cherry Street.

20. To establish and adopt by ordinance a METERED PARKING zone on the east side of Washington St from a point 50 feet north of Walnut Street to a point 140 south of Cherry Street.
21. To establish and adopt by ordinance a PARKING REGULATED BY POSTED SIGN (RESERVED 1-HOUR NICOLET BANK OFFICE CUSTOMERS ONLY 7 AM TO 6 PM MONDAY THROUGH FRIDAY) zone on the west side of Washington Street from a point 190 feet north of Walnut Street to a point 50 feet south of Cherry Street.
22. To remove and adopt by ordinance the 15-MINUTE LOADING ONLY DAILY zone on the west side of Washington Street from a point 30 feet north of Pine Street to a point 190 feet north of Pine Street.
23. To remove and adopt by ordinance the NO PARKING zone on the west side of Washington Street from a point 190 feet north of Pine Street to Main Street.
24. To establish and adopt by ordinance a NO STOPPING OR STANDING LOADING ONLY 7 AM TO 7 PM DAILY zone on the west side of Washington Street from a point 30 feet north of Pine Street to a point 110 feet north of Pine Street.
25. To establish and adopt by ordinance a METERED PARKING zone on the west side of Washington Street from a point 110 feet north of Pine Street to a point 115 feet south of CityDeck Court.
26. To establish and adopt by ordinance a NO PARKING zone on the west side of Washington Street from a point 115 feet south of CityDeck Court to Main Street.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to adopt the report. Motion carried.

REPORT OF THE FINANCE COMMITTEE OCTOBER 7, 2014

The Finance Committee, having met on Tuesday, September 30, 2014 considered all matters on its agenda and wishes to report and recommends the following:

1. To receive and place on file the review of all City fees and permits.
2. To receive and place on file the review of the Stadium District Board.
3. To receive and place on file the review of the authority and chronological record of events surrounding the city purchase and sale of the Clarion Hotel Property.

Common Council October 7, 2014

4. To receive and place on file the status of the Schauer & Schumacher Building.
5. To receive and place on file the opinion of the League of Municipalities for legal representation for the City Council.
6. To approve the report of the Claims Committee.
7. To approve the award to purchase loose fire equipment for GBMFD from W.S. Darley and Co. for \$13,130.
8. To approve the award to purchase fire hose, nozzles, and adapters for GBMFD from Five Alarm Fire & Safety for \$11,649.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt the report with the exception of Item #3. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #3.

Moved by Ald. Zima, seconded by Ald. Thomas DeWane to refer Item #3 back to the Finance Committee. Motion carried.

REPORT OF THE IMPROVEMENT AND SERVICE COMMITTEE October 7, 2014

The Improvement and Service Committee, having met on October 1, 2014 considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by Caryn Plinske to rescind the yard waste charge of \$53.73 at 119 Appletree Court.
2. To approve the request by Anita Jahnke (126 North Irwin Avenue) to allow parking for longer than one hour in the 1 HOUR PARKING zone in front of her house, to accommodate parking for on-site health care workers for her nephew by use of a parking hang tag issued to the owner of the property.
3. To refer to Department of Public Works staff the request by Ald. Tim DeWane to include Madison Street from Porlier Street to Howe School into either the 2015 or 2016 street reconstruction programs.
4. To refer to the Community Services Department for review and possible action the request by Ald. Scannell, on behalf of Rena King, 970 Coppens Road, that her wooden fence be exempt from Ordinance 13-521.

5. To receive and place on file the request by Ald. Zima for a review and update on the City's maintenance schedules for all public works activities including pot holes, crack filling, weeds in City medians and all functions that affect the City's appearance.
6. To approve the request by DPW-Operations Division to purchase an asphalt hot mix reclaimer trailer, with an estimated cost of \$35,000, using 2014 capital equipment budget surplus funds.
7. To receive and place on file the review of draft 2015 budget for the Department of Public Works.
8. To approve the implementation of recommendations from the Downtown Parking Study as proposed.
9. To approve the request by Jake's Pizza (Tennant) on behalf of Johnathan Investments I, LLC (Owner) for an Air Rights Easement to allow the existing sign within the right-of-way located at 112 South Broadway contingent upon executing a Hold Harmless Agreement and placing on file with the City the applicable insurance.
10. To approve the request by Orde Sign & Graphics, Inc. on behalf of DDL Holdings, LLC for an Air Rights Easement to allow the installation of signs and banner within the right-of-way located at 320 North Broadway contingent upon executing a Hold Harmless Agreement and placing on file with the City the applicable insurance.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt the report with the exception of Items #5 and #8. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Moore to adopt Item #5.

Moved by Ald. Zima, seconded by Ald. Wiezbiskie to refer Item #5 back to the Improvement & Service Committee. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #8.

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to refer Item #8 back to the Improvement & Service Committee. Motion carried.

REPORT OF THE PARK COMMITTEE

October 7, 2014

The Park Committee, having met on Wednesday, October 1, 2014, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the final pool concept for the redevelopment of Colburn Pool.

2. To receive and place on file the summary of the proposed 2015 Parks, Recreation, & Forestry budget.
3. To approve the staff priority list for the 2015 Community Development Block Grant park proposals and to forward this request to the Redevelopment Authority.
4. To approve up to \$35,000 in funding from the bond paving account for the installation of walks at Navarino Park.
5. To receive and place on file the Director's Report.

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to adopt the report with the exception of Item #1. Motion carried.

Moved by Ald. Wery, seconded by Ald. Thomas DeWane to adopt Item #1.

Moved by Ald. Wery, seconded by Ald. Wiezbiskie to suspend the rules to allow interested parties to speak. Motion carried.

The following people spoke regarding the Colburn Park Pool concept:

Swimming Coach Dave Korst, 2732 Parkwood Drive

Jeff Gahnz, 2086 Candle Way

Olivia Crooks, 2763 Whippoorwill

Victoria Ellis, 1718 Gobi Trail

Leah Frost, 1665 Patten Street

Joe Krouse, 1438 Argonne Drive

Jim Ridderbush, 1054 Sixth Street, President of the Marquette Neighborhood Association

Jesse Brunette, 1027 Spence Street

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to return to the regular order of business. Motion carried.

A vote was then taken on the motion to adopt Item #1. Motion carried.

REPORT OF THE PERSONNEL COMMITTEE October 7, 2014

The Personnel Committee, having met on Tuesday, September 30, 2014 considered all matters on its agenda and reports and recommends the following:

1. To approve the requests to fill the following positions and all subsequent vacancies resulting from internal transfers.
 - a. Clerk Typist III – Police Department
 - b. 3-Patrol Officer positions – Police Department
2. To receive and place on file the review and discussion of Green Bay Public Television.
3. a. To receive and place on file the review of the function of the Economic Development Department.

Common Council October 7, 2014

- b. To refer to staff to develop job descriptions following the guidelines and discussions by the Council and recommend a budget and salary ranges.
 - c. To hold the request to fill the Economic Development Director position and all subsequent vacancies resulting from internal transfers until the next Personnel Committee meeting.
 - d. To hold the request to reclassify the Economic Development Director position from Pay Grade 39 to Pay Grade 41 until the next Personnel Committee meeting.
- 4. To approve the request to reclassify 3-Shop Helper positions from Grade G-6 at a rate of \$22.51 per hour to the Senior Mechanic classification Grade G-9 at a rate of \$23.13 per hour in accordance with the Labor Association wage schedule effective at the beginning of the pay period following approval by the City Council. If qualified, current incumbents will be reclassified to Sr. Mechanic otherwise the position(s) will be reclassified when a vacancy occurs.
 - 5. To approve contracting for an attorney to advise the Council on any issue at a contract salary of \$30,000 per year. Motion carried 3-1, Ald. Sladek voted no.
 - 6. To refer to staff to revise the language regarding the process of submitting communications to Committees.
 - 7. To receive and place on file the monthly report on the progress of the traffic unit within the Green Bay Police Department.
 - 8. To hold the request by Ald. Tom DeWane until the next Personnel Committee meeting to look at bringing back sergeants in the Police Department with possible action.
 - 9. To hold the request by Ald. Tom DeWane until the next Personnel Committee meeting to discuss with possible action, hiring an outside consultant to study the Green Bay Police Department organization and discuss any cost savings the consultant may bring forward.
 - 10. To schedule the fact-finding hearing regarding the Green Bay Professional Police Association (GBPPA) Recruit Academy Grievance – Step 3 for the Personnel Committee meeting on October 28, 2014.
 - 11. To receive and place on file the report of routine Personnel Actions for regular employees.
 - 12. To have staff proceed as recommended on the review of the Housing Administrator position.
 - 13. To hold the update and discussion on Fire Fighter and Police Supervisory labor negotiations until the next Personnel Committee meeting.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report with the exception of Items #3c, #3d and #5. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Moore to adopt Item #3c.

Moved by Ald. Scannell, seconded by Ald. Nennig to move ahead with hiring an Economic Development Director.

Roll call: Ayes: Wiezbiskie, Tim DeWane, Nennig, Scannell, Danzinger. Noes: Thomas DeWane, Nicholson, Moore, Wery, Zima, Steuer. Motion failed.

A vote was then taken on the motion to adopt Item #3c. Motion carried.

Moved by Ald. Zima, seconded by Ald. Thomas DeWane to adopt Item #3d. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #5.

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to refer Item #5 back to the Personnel Committee. Motion carried.

PROTECTION & WELFARE COMMITTEE REPORT

October 7, 2014

The Protection & Welfare Committee, having met on Monday, September 22, 2014 considered all matters on the agenda and wishes to report and recommend the following:

1. To deny the application for a Class "A" Beverage License by Elizabeth Treto at 1807 N. Irwin Avenue.
2. To approve the notice of the change of agent for The Sardine Can at 128 S. Broadway.
3. To approve the request by the owner of Brewski's on Broadway, 1100 S. Broadway, to hold outdoor events on October 4 and November 23. The approval of the request is subject to complaint.
4. To approve the request by Ald. Wiezbiskie for a resolution supporting a statewide ban on the usage of mobile devices while driving.
5. To postpone until the next meeting the request by Ald. Wery to review and discuss the "Class B" Combination License granted to Titledown Tobacco at 320 N. Broadway, also entertain a request by the applicant to transfer this license to 139 N. Broadway.
6. To deny the application to keep three dogs at 848 15th Avenue.
7. To deny the appeal by Timothy Micolichuk Jr. to the denial of his Operator License application.
8. To postpone until the next meeting the appeal by Christopher Lee to the denial of his Operator License application.

9. To deny the appeal by Rodney G. Miller to the denial of his Public Vehicle Operator application.
10. To deny the appeal by Tim Hyde to the denial of his Public Vehicle Operator application.
11. To receive and place on file the Review League of Wisconsin Municipalities opinion regarding operator's license.
12. To hold, with understanding of creating a checklist by the City Clerk's office, the review timeline for liquor license applicants as it pertains to their security plan.
13. To hold for a month the update from Law Department and Police Department regarding the efforts of bars on Washington to address their police calls issues.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report with the exception of Items #1, #9 and #10. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #1.

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to suspend the rules to allow interested parties to speak. Motion carried.

Rafael Santos, 1270 Doblton Street, spoke in favor of granting the license.

Moved by Ald. Moore, seconded by Ald. Wery to return to the regular order of business. Motion carried.

Moved by Ald. Zima, seconded by Ald. Danzinger to refer Item #1 back to the Protection & Welfare Committee.

Roll call: Ayes: Thomas DeWane, Tim DeWane, Scannell, Zima, Steuer, Danzinger.

Noes: Wiezbiskie, Nicholson, Nennig, Moore, Wery. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #9.

Moved by Ald. Scannell, seconded by Ald. Thomas DeWane to amend Item #9 by approving the appeal.

Moved by Ald. Wery, seconded by Ald. Thomas DeWane to suspend the rules to allow interested parties to speak. Motion carried.

Rodney G. Miller spoke in favor of approving the appeal.

Moved by Ald. Moore, seconded by Ald. Wiezbiskie to return to the regular order of business. Motion carried.

A vote was then taken on the motion to approve the appeal.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Tim DeWane, Nennig, Moore, Scannell, Zima, Steuer, Danzinger. Noes: Nicholson, Wery. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #10.

Moved by Ald. Zima, seconded by Ald. Steuer to suspend the rules to allow interested parties to speak. Motion carried.

Tim Hyde spoke in favor of approving the appeal.

Moved by Ald. Scannell, seconded by Ald. Wiezbiskie to return to the regular order of business. Motion carried.

A vote was then taken on the motion to adopt Item #10 thereby denying the appeal.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger. Noes: None. Motion carried with Ald. Tim DeWane abstaining.

**REPORT OF THE PROTECTION AND WELFARE COMMITTEE
GRANTING OPERATOR LICENSES
October 7, 2014**

The Protection and Welfare Committee wishes to request that the following applications for Operator Licenses be granted. Stipulations placed on licenses shall continue to be in effect.

OPERATOR LICENSES

Archambeault, Esther E	Johnson, Robert T	Wiesner, Jeffrey J
Archiquette, Alisa M	Kessler, Brandine M	Woltman, Joshuah L
Aydelotte, Melissa J	King, Kristi L	
Babiak, Joey M	Kraemer, Emily A	
Balthazor, Jeffrey A	Lance, Ryan E	
Baudhuin, Philip S	Lapp, Alexander E	
Boex, Timothy J	Le Noble, Megan M	
Brandt, Christopher HA	Lee, Marissa K	
Bubnik, Alexandra R	Lefeber, Zach S	
Bukowski, Zachary A	Loving, Kyle P	
Calhoun, Andrew J	Matson, Latisha L	
Carroll, Lorelei R	Merkes, Jennifer L	
Cartier, Gregory B	Mokrohisky, Mark A	
Conrad, Emily L	Mongin, Joseph CS	
Demeny, Rose M	Pierquet, Melissasue I	
Duquaine, Jacob A	Raduenz, Justin M	
Edwards, Amber N	Schulz, Sam G	
Flom, Jessica AJ	Shemenkowski, Robert A	
Forbes, Jordan W	Sidlauskas, Alex M	
Geis, Alfred LJ	Skenandore, Jessica A	
Guiley, Sandra R	Sowinski, Angela K	
Hangartner, Kyle S	Sowinski, Michael R	
Hanna, Camille G	Steffen, Melissa H	
Hayes, Gregory M	Tauschek, Dylan M	
Hendrick, Michael R	Timm, Mary C	
Hofmeister, Marcus P	Tompkins, Wyatt R	
Hogan, William L	Umentum, Matthew M	
Hooyman, Sara B	Vallier, William S	
Jahnke, Taryn S	VanLanen, Melissa S	

Jerovetz, Lori J
Johnson, Britany S

Wagner, Paul J
Whetung, Jennifer M

Moved by Ald. Zima, seconded by Ald. Wery to adopt the report. Motion carried with Ald. Moore abstaining on the approval of Andrew J. Calhoun and Ald. Danzinger abstaining on the approval of Esther E. Archambeault, Emily L. Conrad, Amber N. Edwards and Joseph CS Mongin.

RECEIVE & PLACE ON FILE

Municipal Court Report for August, 2014.

City of Green Bay Trial Balance Report for August, 2014.

Building Permit Report for September, 2014.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to receive the reports and place them on file. Motion carried.

RESOLUTIONS

Moved by Ald. Zima, seconded by Ald. Scannell to suspend the rules to adopt all of the resolutions with one roll call vote. Motion carried.

RESOLUTION IN SUPPORT OF A STATEWIDE BAN ON THE PROHIBITED USE OF MOBILE DEVICES WHILE OPERATING A MOTOR VEHICLE

October 7, 2014

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the State of Wisconsin currently does not have a statewide ban prohibiting the use of mobile telephone and mobile electronic devices; and

WHEREAS, it is the belief that the use of mobile telephones and mobile electronic devices while operating a motor vehicle on the public roadway may cause the operator to maintain less than full-time attention to the operation of said motor vehicle, which endangers the safety of the operators and others; and

WHEREAS, recent statistics show an increased potential of inattentive and unsafe driving with the use of mobile devices while operating a motor vehicle; and

WHEREAS, it is the belief of the Common Council that a statewide regulation on the use of mobile telephones and mobile electronic devices while operating a motor

Common Council October 7, 2014

vehicle will enhance the safety of those persons operating motor vehicles as well as other drivers, passengers, pedestrians, and the general populace throughout the state; and

WHEREAS, it is the belief that a uniform statewide law would be more practical and enforceable as opposed to numerous municipalities enacting individual ordinances.

NOW, THEREFORE, BE IT RESOLVED, that the City of Green Bay supports the efforts of the State of Wisconsin to adopt a statewide ban on the prohibited use of mobile devices while operating a motor vehicle.

Adopted October 7, 2014

Approved October 8, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Zima, seconded by Ald. Scannell to adopt the resolution.
Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Scannell, Wery, Zima, Steuer, Danzinger. Noes: Moore. Motion carried.

**RESOLUTION APPROVING
AIR RIGHTS EASEMENT
WITHIN THE SOUTH BROADWAY
RIGHT-OF WAY
October 7, 2014**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

To approve the request by Jake's Pizza (Tennant) on behalf of Johnathan Investments I, LLC (Owner) for an Air Rights Easement to allow the existing sign within the right-of-way located at 112 South Broadway contingent upon executing a Hold Harmless Agreement and placing on file with the City the applicable insurance.

Adopted October 7, 2014

Approved October 8, 2014

Common Council October 7, 2014

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Zima, seconded by Ald. Scannell to adopt the resolution.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger. Noes: None. Motion carried.

**RESOLUTION APPROVING
AIR RIGHTS EASEMENT
WITHIN THE NORTH BROADWAY
RIGHT-OF WAY
October 7, 2014**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

To approve the request by Orde Sign & Graphics, Inc. on behalf of DDL Holdings, LLC for an Air Rights Easement to allow the installation of signs and banner within the right-of-way located at 320 North Braodway contingent upon executing a Hold Harmless Agreement and placing on file with the City the applicable insurance.

Adopted October 7, 2014

Approved October 8, 2014

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Common Council October 7, 2014

Moved by Ald. Zima, seconded by Ald. Scannell to adopt the resolution.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger. Noes: None. Motion carried.

**RESOLUTION ACCEPTING STREETS FOR CONCRETE PAVEMENT,
ASPHALT PAVEMENT OR ASPHALT RESURFACING
October 7, 2014**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That the Director of Public Works has reported on and recommends the acceptance of the following streets for concrete pavement, asphalt pavement or asphalt resurfacing.

RESURFACING 1-13

CROOKS STREET – Irene Street to Abrams Street

NOW, THEREFORE, BE IT RESOLVED, that the above streets be and are hereby accepted and that the City Clerk be and is hereby instructed to issue statements against the abutting property in accordance with the final resolutions and the final assessments on file.

Adopted October 7, 2014

Approved October 8, 2014

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Zima, seconded by Ald. Scannell to adopt the resolution.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger. Noes: None. Motion carried.

Common Council October 7, 2014

ORDINANCES – THIRD READING

Moved by Ald. Scannell, seconded by Ald. Moore to suspend the rules to adopt all of the General Ordinances with one roll call vote. Motion carried.

GENERAL ORDINANCE NO. 18-14

AN ORDINANCE AMENDING SECTION 29.208, GREEN BAY MUNICIPAL CODE, RELATING TO PARKING REGULATIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING zone:

DOUSMAN STREET, south side, from Taylor Street to
Fellows Drive

SECTION 2. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING zones:

DOUSMAN STREET, south side, from Taylor Street to 170
feet east of Taylor Street

DOUSMAN STREET, south side, from a point 20 feet west
of Westplain Drive to a point 10 feet east of Westplain Drive

SECTION 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 7th day of October, 2014.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Common Council October 7, 2014

Kris A. Teske
Clerk

Moved by Ald. Nicholson, seconded by Ald. Wiezbiskie to adopt the ordinance.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger. Noes: None. Motion carried.

GENERAL ORDINANCE NO. 19-14

AN ORDINANCE AMENDING SECTION 8.08(3)(a), GREEN BAY MUNICIPAL CODE, RELATING TO KEEPING OF DOGS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 8.08(3)(a), Green Bay Municipal Code, is hereby amended as follows:

8.08 DOGS, KEEPING IN RESIDENTIAL AREAS.

(3) NUMBER OF DOGS LIMITED. (a) No family shall own, harbor, or keep in its possession more than two dogs on any residentially-zoned lot without the prior approval of the Council, except that a litter of pups or a portion of a litter may be kept for not more than eight weeks from birth **if the mother of the pups is owned by one of the occupants of the residential lot and the mother of the pups resides at the residential lot.** If more than one family resides on a residential lot, then only two dogs shall be allowed on the residential lot unless the prior approval is obtained from the Council. For the purpose of this section, the term "family" shall be defined as one or more persons.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 7th day of October, 2014.

APPROVED:

Common Council October 7, 2014

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Nicholson, seconded by Ald. Wiezbiskie to adopt the ordinance.
Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger. Noes: None. Motion carried.

ZONING ORDINANCE NO. 9-14

**AN ORDINANCE
AMENDING THE PLANNED UNIT
DEVELOPMENT FOR THE PRESERVE
3416 INDIGO BLUFF DRIVE
(ZP 14-31)**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS
FOLLOWS:

SECTION 1. Section 13-108, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by modifying the established Planned Unit Development (PUD) District on the following described property:

The Preserve, LOT 1
(Tax Parcel Number: 21-8248)

SECTION 2. Pursuant to Section 13-1900, et seq., Green Bay Municipal Code, as they apply, the following conditions are imposed:

A. Permitted Uses.

1. Principal Uses. The club house may be used for the enjoyment and recreation of The Preserve residents and may include office and sales space related to the subdivision.

B. Dimensional Standards.

1. Setbacks. The club house parking area may be permitted to encroach with the required setback, but shall not be less than 10' from the Indigo Bluff Drive right-of-way.

C. Parking.

1. The club house site may be permitted two, two-way driveways less than 200' measured from centerline to centerline off of Indigo Bluff Drive.
2. Each drive shall not exceed 25' at the property line and 30' at the curb line.

D. Landscaping. A detailed landscape plan shall be submitted prior to the issuance of any building permits.

E. Additional Applicable Regulations. Unless stated above, the development must comply with all other regulations of the Green Bay Municipal Code.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-1900, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin this 7th day of October, 2014.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to adopt the ordinance.
Roll call: Ayes: Wiezbiskie, Thomas DeWane, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger. Noes: None. Motion carried.

Common Council October 7, 2014

ZONING ORDINANCE NO. 10-14

**AN ORDINANCE
AMENDING ZONING ORDINANCE NO. 1-91
REGARDING MODIFIED GROUND
MOUNTED AND WALL SIGNAGE FOR
MACKINAWS GRILL & SPIRITS
2925 VOYAGER DRIVE
(ZP 14-28)**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to Section 13-108, Green Bay Municipal Code, together with the zoning map and statutory authority referred to therein, the Planned Unit Development created by Zoning Ordinance No. 1-91 is hereby amended on the following described property:

LOT 3 OF 33 CSM 118 BNG PRT OF NW1/4 NE1/4
SEC 10 T23N R21E (Tax Parcel Number: 21-147-3)

SECTION 2. That pursuant to Section 13-1900 et seq., Green Bay Municipal Code, as they apply, Zoning Ordinance No. 1-91 is hereby amended to allow the following changes:

- A. Existing East Mason Street Monument Sign.
 - 1. The existing four lines of manual reader board may be exchanged for one static electronic message sign, per sign face.
 - 2. The sign shall comply with all standard found in Chapter 13-2000, specifically, Chapter 13-2021, Green Bay Municipal Code.
 - 3. There shall be no expansion of the sign or other modifications without an amendment to this ordinance.
- B. All signs shall meet all other applicable standards of the I-43 Business Center Design Criteria.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

Common Council October 7, 2014

SECTION 5. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance and has no financial impact on the City.

Dated at Green Bay, Wisconsin this 7th day of October, 2014.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to adopt the ordinance.
Roll call: Ayes: Wiezbiskie, Thomas DeWane, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger. Noes: None. Motion carried.

Moved by Ald. Scannell, seconded by Ald. Thomas DeWane to adjourn at 10:04 P.M.
Motion carried.

Kris A. Teske
Green Bay City Clerk